

Remarks

The Office Action dated February 9, 2005 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-16, 18, 19, and 27-37 are now pending in this application. Claims 33-37 are allowed. Claims 1-16, 18-19, and 27-32 are rejected.

The rejection of Claims 1-12 and 27-32 under 35 U.S.C. § 103(a) as being unpatentable over Pildner et al. (U.S. Patent No. 5,625,338) in view of Parker (U.S. Patent No. 6,366,211), is respectfully traversed.

Pildner et al. describe a control panel including a receiver (6) as well as a transmitter (8) (column 3, lines 5-10). The control panel can receive RF signals from any of the components of a security system, namely a keypad (16), a sounder (40) or any of a plurality of sensors (50) (column 3, lines 5-10). The control panel is also connected to a telephone channel (12) by means of which it can contact a central monitoring service, should an alarm or trouble condition require reporting (column 3, lines 9-13). The control panel has a ROM (read only memory) (13), an AC power connector (14), and a battery power backup (15) (column 3, lines 13-16). A wireless keypad cooperates with the control panel and receives and transmits signals therebetween (column 4, lines 35-38). Of importance is the fact that Pildner et al. does not include a single phone-interface device that includes a phone-port and either a wireless receiver or a wireless transmitter, and is separate from a control panel configured to receive signals from a plurality of sensors.

Parker describes a system including a monitoring station (30) that includes an input/output port (32) connected to a telephone system (28) and also has control logic (34) which has associated therewith time and date information (36) (column 3, lines 36-39). The system includes a non-volatile memory (20) that includes a portion thereof which can be programmed by an installer (column 3, lines 39-43). Of importance is the fact that Parker does not include a single phone-interface device that includes a phone-port and either a wireless receiver or a wireless transmitter, and is separate from a control panel configured to receive signals from a plurality of sensors.

Claim 1 recites a phone-interface device, comprising “a receiver configured to receive a wireless signal from a control panel that receives signals from at least two sensors and that determines whether to send an alarm report to said phone interface device, wherein the wireless signal from the control panel encodes information regarding a sensor event monitored by a monitoring station; a phone port configured to connect to a telephone line and to receive configuration data from the monitoring station, wherein the phone-interface device including the receiver and the phone port is a device separate than the control panel that receives the signals from the at least two sensors; and a power supply comprising the telephone line.”

Neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 1. Specifically, neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest that the phone-interface device including the receiver and the phone port is a device separate than the control panel that receives the signals from the at least two sensors, the receiver configured to receive a wireless signal from the control panel. Rather, Pildner et al. describe a control panel connected to a telephone channel by means of which it can contact a central monitoring service, should an alarm or trouble condition require reporting. Pildner et al. further describe a wireless keypad that cooperates with the control panel and receives and transmits signals therebetween. Parker describes a monitoring station that includes an input/output port connected to a telephone system. Accordingly, neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest that the phone-interface device including the receiver and the phone port is a device separate than the control panel, where the receiver is configured to receive a wireless signal from the control panel.

Applicants respectfully submit that Pildner et al. does not describe or suggest the phone-interface device separate from a control panel, and including a phone port and a receiver that receives wireless signals. Rather, Pildner et al. describe a control panel connected to a telephone channel and a wireless keypad that communicates signals with the control panel. The control panel of Pildner et al. is not a phone-interface device that is separate from a control panel as recited in Claim 1. The wireless keypad of Pildner et al. does not include a phone port configured to connect to a telephone line and receive configuration data from the monitoring station as

recited in Claim 1. The wireless keypad of Pildner et al., therefore, is not a phone-interface device including a phone port configured to connect to a telephone line and receive configuration data from the monitoring station as recited in Claim 1. Accordingly, Applicants respectfully submit that Pildner et al. does not describe or suggest the phone-interface device as recited in Claim 1.

Applicants further respectfully submit that Parker does not describe or suggest the phone-interface device separate from a control panel, and including a phone port and a receiver that receives wireless signals. Rather, Parker describes a monitoring station including an input/output port connected to a telephone system. The monitoring station including the input/output port of Parker is not a phone-interface device including a wireless receiver as recited in Claim 1. The input/output port of the monitoring station of Parker is not a wireless receiver as recited in Claim 1. The telephone system of Parker is not a phone-interface device including a phone port and a wireless receiver as recited in Claim 1. Accordingly, Parker does not describe or suggest a phone-interface device as recited in Claim 1.

For the reasons set forth above, Claim 1 is submitted to be patentable over Pildner et al. in view of Parker.

Claims 2-7 and 27-29 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-7 and 27-29 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-7 and 27-29 likewise are patentable over Pildner et al. in view of Parker.

Claim 8 recites a phone-interface device, comprising “a phone port configured to connect to a telephone line and to receive configuration data from a monitoring station, wherein the monitoring station monitors a sensor event based on signals generated by a sensor; a transmitter configured to send the configuration data via a wireless signal to a control panel, wherein the control panel is configured to receive the signals from the sensor, and the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor; and a power supply comprising the telephone line.”

Neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 8. Specifically, neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor, the transmitter configured to send the configuration data via a wireless signal to the control panel. Rather, Pildner et al. describe a control panel connected to a telephone channel by means of which it can contact a central monitoring service, should an alarm or trouble condition require reporting. Pildner et al. further describe a wireless keypad that cooperates with the control panel and receives and transmits signals therebetween. Parker describes a monitoring station that includes an input/output port connected to a telephone system. Accordingly, neither Pildner et al. nor Parker, considered alone or in combination, describe or suggest the phone-interface device including the transmitter and the phone port is a device separate than the control panel, where the transmitter is configured to send the configuration data via a wireless signal to the control panel.

Applicants respectfully submit that Pildner et al. does not describe or suggest the phone-interface device separate from a control panel, and including a phone port and a transmitter that transmits wireless signals. Rather, Pildner et al. describe a control panel connected to a telephone channel and a wireless keypad that communicates signals with the control panel. The control panel of Pildner et al. is not a phone-interface device that is separate from a control panel as recited in Claim 8. The wireless keypad of Pildner et al. does not include a phone port configured to connect to a telephone line and receive configuration data from the monitoring station as recited in Claim 8. The wireless keypad of Pildner et al., therefore, is not a phone-interface device including a phone port configured to connect to a telephone line and receive configuration data from the monitoring station as recited in Claim 8. Accordingly, Applicants respectfully submit that Pildner et al. does not describe or suggest the phone-interface device as recited in Claim 8.

Applicants further respectfully submit that Parker does not describe or suggest the phone-interface device separate from a control panel, and including a phone port and a transmitter that transmits wireless signals. Rather, Parker describes a

monitoring station including an input/output port connected to a telephone system. The monitoring station including the input/output port of Parker is not a phone-interface device including a wireless transmitter as recited in Claim 8. The input/output port of the monitoring station of Parker is not a wireless transmitter as recited in Claim 8. The telephone system of Parker is not a phone-interface device including a phone port and a wireless transmitter as recited in Claim 8. Accordingly, Parker does not describe or suggest a phone-interface device as recited in Claim 8.

For the reasons set forth above, Claim 8 is submitted to be patentable over Pildner et al. in view of Parker.

Claims 9-12 and 30-32 depend directly from independent Claim 8. When the recitations of Claims 9-12 and 30-32 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 9-12 and 30-32 likewise are patentable over Pildner et al. in view of Parker.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-12 and 27-32 be withdrawn.

The rejection of Claims 13-16 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Pildner et al. in view of Parker, and further in view of McClure (U.S. Patent No. 5,923,731) is respectfully traversed.

Pildner et al. and Parker are described above.

McClure describes a system that includes a measuring device to check voltages on telephone lines which detects circumstances such as cut telephone lines and off-hook conditions (column 2, lines 50-52). The system also has a monitoring system to detect voice activity and energy on an off-hook line whether one sided or if inactive connection exists (column 2, lines 52-55).

Claims 13-16 and 18-19 depend, directly or indirectly, from independent Claim 8 which recites a phone-interface device, comprising “a phone port configured to connect to a telephone line and to receive configuration data from a monitoring station, wherein the monitoring station monitors a sensor event based on signals generated by a sensor; a transmitter configured to send the configuration data via a

wireless signal to a control panel, wherein the control panel is configured to receive the signals from the sensor, and the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor; and a power supply comprising the telephone line.”

None of Pildner et al., Parker, and McClure, considered alone or in combination, describe or suggest a phone-interface device as recited in Claim 8. Specifically, none of Pildner et al., Parker, and McClure, considered alone or in combination, describe or suggest the phone-interface device including the transmitter and the phone port is a device separate than the control panel that receives the signals from the sensor, the transmitter configured to send the configuration data via a wireless signal to the control panel. Rather, Pildner et al. describe a control panel connected to a telephone channel by means of which it can contact a central monitoring service, should an alarm or trouble condition require reporting. Pildner et al. further describe a wireless keypad that cooperates with the control panel and receives and transmits signals therebetween. Parker describes a monitoring station that includes an input/output port connected to a telephone system. McClure describes a measuring device to check voltages on telephone lines which detects circumstances such as cut telephone lines and off-hook conditions. Accordingly, none of Pildner et al., Parker, and McClure, considered alone or in combination, describe or suggest the phone-interface device including the transmitter and the phone port is a device separate than the control panel, where the transmitter is configured to send the configuration data via a wireless signal to the control panel. For the reasons set forth above, Claim 8 is submitted to be patentable over Pildner et al. in view of Parker, and further in view of McClure.

When the recitations of Claims 13-16 and 18-19 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 13-16 and 18-19 likewise are patentable over Pildner et al. in view of Parker, and further in view of McClure.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 13-16 and 18-19 be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejections of Claims 1-16, 18-19, and 27-32 are not proper rejections. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. None of Pildner et al., Parker, and McClure, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Pildner et al. with Parker or McClure because there is no motivation to combine the references suggested in the cited art itself.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levingood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

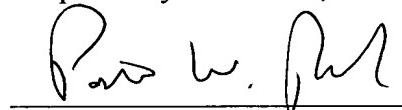
Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejections are based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Pildner et al. teach a control panel connected to a telephone channel by means of which it can contact a central monitoring service, should an alarm or trouble condition require reporting. Pildner et al. further teach a wireless keypad that cooperates with the control panel and receives and transmits

signals therebetween. Parker teaches a monitoring station that includes an input/output port connected to a telephone system. McClure teaches a measuring device to check voltages on telephone lines which detects circumstances such as cut telephone lines and off-hook conditions. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejections appear to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claims 1-16, 18-19, and 27-32 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejections of Claims 1-16, 18-19, and 27-32 under 35 U.S.C. 103(a) be withdrawn.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Patrick W. Rasche
Registration No. 37,916
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070